



**HINCHINBROOK
SHIRE COUNCIL**

MINUTES OF THE GENERAL MEETING
OF THE
HINCHINBROOK SHIRE COUNCIL

HELD IN THE COUNCIL CHAMBERS,
INGHAM ON
TUESDAY 4TH SEPTEMBER, 2012
AT 9.06 A.M.

ATTENDANCE

- Present were Councillors R. Bow, P.D. Lynch, L.R. Molachino, D.G. Carr, W.G. Skinner, S.J. Kaurila and M.G. Tack.
- Also present was the Chief Executive Officer (L.E. Mash), Manager Engineering Services (B.E. Leach), Manager Corporate & Economic Development (R.F. Pennisi), Manager Environmental Health Services (T. Tanase) and Executive Secretary (B.K. Edwards).

Corporate Communications & Media Officer, K. Spano was also present when the meeting commenced.

PRAYER

- Cr. M.G. Tack opened the meeting with prayer.

1. MINUTES

- Resolved that the Minutes of the General Meeting held on the 15th August, 2012 and Minutes of the Special Meeting held on the 24th August, 2012 be approved as a correct record of proceedings and be signed by the Mayor.
(Crs. Molachino and Kaurila – Carried)

Cr. W.G. Skinner entered the meeting at 9.07 a.m.

2. BUSINESS –

1. CEO REPORT OF COUNCILLOR REQUESTS

Consideration of CEO Report of Councillor Requests for the period 11th August, 2012 to 24th August, 2012.

Resolved – That the advice be received and noted.
(Crs. Carr and Skinner – Carried)

2. OPERATIONAL ACTION 1.0 - COMMUNITY

1. TOWNSVILLE ENTERPRISE, Townsville, 1st August, 2012, requesting Council to consider entering into a Service Level Agreement with Townsville Enterprise to allow them to deliver more comprehensive support for regional development initiatives at a Gold Membership level valued at \$33,990. (007/0087)

Resolved – That Council advise Townsville Enterprise Limited that Council does not at this point in time wish to increase its level of membership above the Bronze level.
(Crs. Molachino and Carr – Carried)

2. INGHAM DIRT BIKE CLUB INC., Ingham, 6th August, 2012, advising the Club is hosting Round 7 of the Tropical North Queensland Motocross Series on Saturday 11th August, 2012 with clubs at Mareeba, Ravenshoe, Cairns, Tully, Charters Towers and Townsville hosting the first 6 rounds this year. Approximately 170 riders have nominated ranging in age from 7 to 50. The riders bring their own support crew consisting of parents, siblings, girlfriends / boyfriends, friends, children and grandparents. As the event will start early on the Saturday, riders from away will come into town on the Friday night and camp at the grounds or book into motels, and as Ingham is hosting the last rounds of the series, a presentation dinner will be held on Saturday night at Lee's Hotel. Seeking Council's financial support towards the event and also as the track as yet has no amenities, requesting Council to consider waiving the hire fee on the 5 mobile toilets booked to allow the Club to meet all costs for the weekend and enable the Club to hold similar events in the future. (012/0002)

Resolved – That Council advise the Club that given that financial assistance has already been contributed to this event under Council's Support for Events Policy, this request is seen as additional and therefore not approved.

(Crs. Lynch and Skinner –Lost)

Resolved - That Council provide a donation of \$149.25 (incl. GST) to the Club towards the Ingham Dirt Bike Club event.

(Crs. Tack and Lynch –Carried)

3. SPECIAL CHILDREN'S CHRISTMAS PARTY, Townsville, 14th August, 2012, requesting Council's financial support towards the 2012 Queensland Nickel Special Children's Christmas Party to be held on Saturday 10th November, 2012 at the Ryan Community Centre, Kirwan.(012/0002)

Resolved – That Council provide financial assistance in the sum of \$220 (incl. GST) towards the 2012 Special Children's Christmas Party.

(Crs. Lynch and Skinner – Carried)

4. JAMIE'S MINISTRY OF FOOD TRUCK.

Consideration of Report to Council from Sports & Recreation Officer dated 21st August, 2012 regarding the Healthy Hinchinbrook Committee's request to host the "Jamie Oliver Ministry of Food Truck" in Ingham and seeking guidance and inkind support (officer for program coordination and promotion, host location, connection to water, electricity, and grey waste removal) from Council and recommending that Rotary Park be the approved site for maximum exposure and promotion of the Ministry of Food Truck.

Resolved – That Council provide in principle support for the Ministry of Food Truck Program subject to further investigation regarding site suitability and clarification of costs.

(Crs. Kaurila and Tack – Carried)

3. OPERATIONAL ACTION 2.0 - ECONOMY

1. NBN CO. LIMITED – LEASE OF FORREST BEACH WATER TOWER (RESERVE 725) FOR RESERVOIR AND LUCINDA RESERVE 1213 FOR RESERVOIR.

Consideration of Report to Council from Customer & Corporate Services Officer dated 17th August, 2012 regarding further proposal from NBN Co. Limited to lease an area on the Forrest Beach Water Tower Reserve 725 for reservoir (part of Lot 370 on CWL2758) and area of the Lucinda Reserve 1213 for Reservoir (part of Lot 290 on CWL2004) for the purpose of installation of fixed radio (wireless) components of the National Broadband Network.

Resolved – That Council approve the standard NBN lease with an additional clause added to reflect the principle that if the Forrest Beach Water Tower is decommissioned Council accepts no responsibility for the ongoing maintenance of the facility.

That the annual rental fee be \$10,000 p.a. for the Forrest Beach site part of Lot 370 on CWL 2758 and \$7,000 p.a. for the Lucinda site part of Lot 290 on CWL2004 exclusive of GST and inclusive of all rates, taxes, statutory and building outgoings for two (2) ten (10) year consecutive lease terms. The rental sum is to be increased by CPI annually.

The commencement date to be the date the parties execute to lease and rental commencement date will be the date upon which construction starts on site as advised to Council in writing.

That any costs associated with the preparation, lodgement or development approval and surveying fees for the leases will be met by NBN Co. Limited.
(Crs. Skinner and Lynch – Carried)

Acting Infrastructure Engineer, C. Gray entered the meeting at 9.38 a.m.

2. IN-FLIGHT INGHAM PROJECT REPORT PREPARED BY TOWNSVILLE ENTERPRISE LTD.
Consideration of Report to Council from Manager Corporate & Economic Development dated 22nd August, 2012 regarding Townsville Enterprise Limited's In-flight Ingham Project Report dated 4th June, 2012 commissioned to identify specific opportunities surrounding the Ingham Airport and to identify estimated costs and constraints for the aerodrome's further development.

Resolved – That the Report is received by Council for information and noted.
(Crs. Skinner and Molachino – Carried)

3. DEPARTMENT OF NATURAL RESOURCES & MINES, Toowoomba, 27th July, 2012, forwarding copy of Notice published in the Government Gazette of 27th July, 2012 regarding application for Temporary Road Closure over an area of road adjoining the eastern boundary of Lot 7 on RP705355 at Neames Inlet Road, Macknade. Seeking Council's views and / or requirements regarding the application and the applicant advises that the proposed use of the subject area if the road closure is approved would be for further cane growing. (017/0002)

Resolved – That Council advise the Department it does not object to the proposed temporary road closure, subject to the eastern boundary of the proposed closure being well clear of the road construction including surface drainage, and a minimum of 10 metres from the centreline of the Neames Inlet Road construction.
(Crs. Lynch and Carr – Carried)

4. SITING RELAXATION APPLICATION – 64 EDDLESTON DRIVE, CORDELIA.
Consideration of Report to Council from Acting Infrastructure Engineer dated 23rd August, 2012 in relation to a Siting Relaxation Application from Mr. Stephen Graham for a proposed garage with an open shaded area constructed to the river side of the structure at 64 Eddleston Drive, Cordelia (Lot 93 on SP250797).

The meeting adjourned at 9.58 a.m. for morning tea and resumed at 10.15 a.m. Acting Infrastructure Engineer, C. Gray was not present when the meeting resumed.

Resolved – That Council approve the Siting Relaxation Application submitted by Mr. Stephen Graham for a property at 64 Eddleston Drive, Cordelia (Lot 93 on SP250797) on the grounds that the proposed structure will only have a minor negative impact on the outlook and views of neighbouring residents and does not represent an additional hazard to through traffic. The approval is subject to the following conditions:-

- (a) the structure is to be built in accordance with the site plans submitted with the Siting Relaxation Application; and
- (b) That the operational works approval is granted.
(Crs. Carr and Skinner – Carried)

5. REQUEST TO EXTEND THE RELEVANT DEVELOPMENT APPROVAL CURRENCY PERIOD – LESTER FRANK SURVEYORS ON BEHALF OF MR. S. GUAZZO, RECONFIGURING A LOT REARRANGEMENT OF BOUNDARIES, LOTS 2, 5, 6 & 7 ON RP707788, PARISH OF TREBONNE, TREBONNE ROAD, INGHAM

Consideration of a Report to Council from Town Planning and Development Officer dated 31st August, 2012 regarding the request to extend the relevant development approval currency period. (065/0139)

Resolved – That an extension of time for three (3) months until the 30th November, 2012 in which to complete the proposed development be granted.
(Crs. Lynch and Molachino – Carried)

6. DEVELOPMENT APPLICATION FOR BUILDING WORK ASSESSABLE AGAINST A PLANNING SCHEME (BWAP) BOUNDARY SETBACK RELAXATION).

Consideration of Report to Council from Acting Infrastructure Engineer dated 31st July, 2012, seeking approval of the proposed Development Application for Building Work Assessable against a Planning Scheme (BWAP) – Boundary Setback Relaxation of Joseph Vezzano at 51 Rotondo's Road, Trebonne described as Lot 7 on SP127740. (058/0346)

Resolved – That Council approve the Building Works Assessable against a Planning Scheme (BWAP) submitted by Joseph Vezzano for a rural siting relaxation, on the grounds that the proposed building work is in conformance with the relative specific outcomes of the Rural Zone Code of the Hinchinbrook Shire Planning Scheme 2005, and subject to the following:-

- (i) The structure is to be built in accordance with the plans submitted with the Siting Relaxation Application.
(Crs. Carr and Skinner – Carried)

7. PROPOSED ACCELERATED DEVELOPMENT ASSESSMENT PROCESS FOR DEVELOPMENT APPLICATIONS SEEKING CHANGE OF LAND USE – PLANTATION FORESTRY (FORESTRY) TO SUGAR CANE FARMING (INTENSIVE AGRICULTURE).

Consideration given to Report to Council from Town Planning & Development Officer dated 30th August, 2012 providing Council with the proposed accelerated development assessment process for development applications for Plantation Forestry to Sugar Cane Farming. (056/0002)

Town Planning Development Officer, B. Christie-Johnston entered the meeting at 10.21 a.m.

Resolved – That Council adopt the proposed accelerated development assessment process, including delegation of decision making to officer level for all code assessable development applications involving the conversion of land use from plantation forestry to cane farming.

That Council adopt the recommended application fee for Fast Track (\$300) and Streamlined (\$690) Development Applications.
(Crs. Carr and Lynch – Carried)

8. SANDALWOOD TEAK SUGAR PTY LTD., Maroochydore, 27th June, 2012, seeking approval of proposed Material Change of Use of Premises - Code Assessable: from Forestry (Plantation Forestry) to Intensive Agriculture (Sugar Cane Farming) at Stone River Road, Peacock Siding described as Lot 145 on CWL2391, Lot 2 on CAR12467, Lot 14 on CWL189, Lot 1 on RP705228, Lot 2 on RP705228, Lot 3 on RP705228, Lot 411 on CAR12445, Lot 412 on CAR12445, Lot 4 on RP705228 and Lot 5 on RP705228. Land is zoned Rural. (058/0352)

Consideration of Report to Council from Town Planning & Development Officer dated 24th August, 2012, regarding the proposed Material Change of Use application.

Resolved – That the proposed Development Application for a Material Change of Use of Premises – Code Assessable : from Forestry (Plantation Forestry) to Intensive Agriculture (Sugar Cane Farming) at Stone River Road, Peacock Siding described as Lot 145 on CWL2391, Lot 2 on CAR12467, Lot 14 on CWL189, Lot 1 on RP705228, Lot 2 on RP705228, Lot 3 on RP705228, Lot 411 on CAR12445, Lot 412 on CAR12445, Lot 4 on RP705228 and Lot 5 on RP705228 be approved subject to the following conditions:-

Conditions of Development	Time at which compliance with condition is required
The conditions of development for this development permit are as follows:	
(a) The development of the site is to be generally in accordance with the following plans that are to be the approved Plans of Development, except as altered by any other condition of this approval: <ul style="list-style-type: none"> i. Sandalwood Teak Sugar Pty Ltd, Property Detail Plan, Girgenti Farm, Spatial Solutions Experts, 19th January 2012; ii. Sandalwood Teak Sugar Pty Ltd, Property Detail Plan, Seri Farm, Spatial Solutions Experts, 19th January 2012. 	At all times

(b) Accesses onto the Hinchinbrook Shire Council Road network must be constructed to Council's standards. Where an approved access does not exist, the Applicant must gain the appropriate access approvals through Council.	Prior to any works commencing on site
(c) The development is to be generally in accordance with the documents, except as altered by any other condition of this approval: i. Town Planning Proposal Report, Development Application, Change of Land use: Forestry to Intensive Agriculture 9RPT-282-DA Issue, Stone Rive Road, Peacock Siding, Sandalwood Teak Sugar Pty Ltd, Prepared by Alan Holliday Pty Ltd Consulting Town Planners, June 2012.	At all times
(d) A Riparian revegetation proposal plan must be submitted for Council's consideration and approval. At minimum the Riparian revegetation proposal plan must: i. Clearly identify all waterways on the premises; ii. Clearly identify existing riparian vegetation; iii. Clearly identify proposed riparian buffer zones (in accordance with the <i>Hinchinbrook Shire Planning Scheme 2005</i>) on each side of waterways; iv. Clearly identify revegetation areas; v. Provide a list of appropriate native plant species to be used; and vi. Provide details on planting densities.	Prior to any works commencing on site
(e) A Land Use Management Plan must be submitted for Council's consideration and approval. At minimum the Land Use Management Plan must incorporate: i. A sediment and soil erosion control management plan; ii. Vegetation and riparian management plan; iii. Water quality maintenance plan.	Prior to any works commencing on site
Advice	
The applicant should meet the outcomes as detailed in the Department Environment & Heritage Protection Advise Agency Response - Referrable Wetland SPAR04528212, dated 25 th July 2012.	

(Crs. Kaurila and Skinner – Carried)

Town Planning Development Officer, B. Christie-Johnston left the meeting at 10.45 a.m.

4. OPERATIONAL ACTION 3.0 - ENVIRONMENT

1. CYCLONE YASI NDRRA RECOVERY PHASE.

Consideration of Council's NDRRA Restoration Program Summary Report in conjunction with AECOM.

Resolved – That the Report be received and noted.

(Crs. Skinner and Kaurila – Carried)

2. AERODROME LANDING CHARGES – ADDITIONAL INFORMATION.

Consideration of Report to Council from Acting Infrastructure Engineer dated 24th August, 2012 in relation to the recent proposal to raise the annual landing fee prior to the end of June, 2012 and following on from Council's 24th July, 2012 General Meeting resolution for a number of Councillors and relevant staff to meet with Aerodrome Operators to discuss the issue.

Resolved – That Council implement the proposed Annual Landing Fees as described in the following Table over a three (3) year phase period and reference to "Irregular Landing Fees" be removed from the Schedule of Fees and Charges on the basis that there is no economic method of collecting fees from Itinerant Aircraft:-

Description of Fee	Fee
Lot/ Hanger Space Rental (Per Lot) Commercial	Lease
Lot/ Hanger Space Rental (Per Lot) Recreational	Lease
Lot/ Hanger Space Rental (Per Lot) Private	Lease
Landing Fees – Commercial Annual Fee Per Aircraft	\$1,000-00
Landing Fees - Recreational Annual Fee Per Aircraft	\$570-00
Landing Fees - Private Annual Fee Per Aircraft	\$570-00
Landing Fees - Irregular <u>per Landing Per Aircraft</u>	\$46-50 (Not readily controlled)
Landing Fees - Irregular <u>per Day Per Aircraft</u>	\$68-00 (Not Readily Controlled)
Tie-Down Fees Commercial / Recreational /Private Per Aircraft	NA

(Crs. Tack and Skinner – Lost)

Cr. Kaurila left the meeting at 11.06 a.m.

Resolved – That Council engage in further consultation with the stakeholder group at a future Deputation Day.

(Crs. Skinner and Molachino – Carried)

3. HSC 12/61 – SUPPLY & DELIVERY OF SAND FOR PIPE BEDDING AND GENERAL USE.

Consideration of Report to Council from Water & Sewerage Manager dated 23rd August, 2012 regarding tenders received for HSC 12/61 – Supply and Delivery of Sand for Pipe Bedding and General Use.

Resolved – That Council note the two (2) offers received, and advise all Offerers that their tendered prices submitted will be placed on Council's List of Suppliers and that individual orders will be placed according to Council's requirements, cost effectiveness, and suitability of the various offered products.

(Crs. Carr and Skinner – Carried)

Cr. Kaurila returned to the meeting at 11.10a.m.

4. LAWMAC, Cairns, 21st August, 2012, advising that at the July, 2012 LAWMAC meeting, members discussed the need for member-councils to arrange enduring proxies enabling officially nominated Officers to attend and vote at LAWMAC meeting in the absence of their respective nominated Councillor. This enables the Committee to maintain its quorum of seven voting councils at each meeting and provides each member-council with a consistent single voting right on all issues raised. An enduring proxy will remain viable for the current electoral term only and is renewable following each Local Government election.

Resolved – That Council nominate Manager Environmental Health Services as enduring proxy for Council's representation on the LAWMAC Committee.

(Crs. Lynch and Kaurila – Carried)

5. FORREST BEACH PROGRESS ASSOCIATION INC., Allingham, 20th August, 2012, following on from the Association's Deputation with Council on Thursday 16th August, 2012, formally requesting Council to approve their proposed Wetlands Walk. Advising they do not know what the Environmental Heritage Protection's view is of the project, however they believe that provided Council as trustees of the land are in favour of the project and are as determined as the Association to see it proceed, then they do not anticipate any major issues. Further advising they will meet with Manager Engineering Services regarding technical requirements and drawings and requesting a letter of support from Council as trustees of the land, endorsing and advocating the Wetlands Walk to accompany their grant application for "Everyone's Environment" which closes on the 28th September, 2012. Thanking Council for its time at the deputations and they were very pleased to receive such an enthusiastic response to the proposal. (079/0128)

Resolved - That Council provide a letter of support to Forrest Beach Progress Association for the proposed Wattle Street to beach front walkway, and confirm that it is prepared to take on the finished project as its own asset.

That Council provide inkind assistance towards the project via production of design drawings and estimate, and processing of necessary environmental permits.
(Crs. Lynch and Kaurila – Carried)

5. OPERATIONAL ACTION 4.0 - GOVERNANCE

1. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND ANNUAL CONFERENCE.

Consideration of attendance at 116th LGAQ Annual Conference "*Making a Difference – Growing Queensland's Four Pillar Economy*" at Brisbane Convention & Exhibition Centre on Grey, South Bank, Brisbane from the 22nd to 25th October, 2012. Early bird registration closes on the 14th September, 2012.

Resolved – That available Councillors and the Chief Executive Officer attend the 2012 Local Government Association of Queensland Annual Conference.
(Crs. Skinner and Kaurila – Carried)

2. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND, Newstead, 17th August, 2012, advising that the Rules of the Association provide for the election of President for a term of 4 years at the Annual Conference of the Association following the Local Government Quadrennial Elections. Member councils have the right to nominate any person who is an elected member of any member council as a candidate and nominations close on Friday 21st September, 2012. (007/0003)

Resolved – That Council nominate Cr. Margaret de Wit, sitting Councillor of Brisbane City Council for the Local Government Association of Queensland President's position.
(Crs. Kaurila and Lynch – Carried)

3. PARAPLEGIC BENEFIT FUND, Brisbane, 8th August, 2012, advising that Council's Corporate Membership renewal is due on the 30th September, 2012 and seeking Council's advice as to whether it will renew its membership for the following 12 months. (093/0001)

Consideration was also given to a Report to Council from Human Resources Manager dated 22nd August, 2012 providing background information of Council's past membership and reasons for recommending Council not to renew the policy.

Resolved – That Council advise the Paraplegic Benefits Fund that it will not be renewing its Policy and Council employees be advised of Council's reasons accordingly.
(Crs. Kaurila and Carr – Carried)

4. COUNCIL REPRESENTATION – LUCINDA PROGRESS ASSOCIATION.

Consideration of Cr. Lawrence Molachino being appointed Council representative on the Lucinda Progress Association in lieu of Cr. David Carr.

Resolved – That Cr. Lawrence Molachino be appointed Council's representative on the Lucinda Progress Association.
(Crs. Lynch and Skinner – Carried)

5. LEAVE OF ABSENCE - CHIEF EXECUTIVE OFFICER.

Consideration of request by Chief Executive Officer Ms. Leanne Mash for leave of absence from Council from the 19th September, 2012 to 9th October, 2012 and the appointment of an Acting Chief Executive Officer during this period.

Resolved – That Council approve leave of absence for the Chief Executive Officer from Council from the 19th September, 2012 to 9th October, 2012 and appoint Manager Environmental Health Services, Tudor Tanase to the position of Acting Chief Executive Officer for the nominated period.
(Crs. Kaurila and Lynch – Carried)

MISCELLANEOUS CORRESPONDENCE

1. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND, Newstead, 31st July, 2012, advising that the North Queensland Local Government Association and Hinchinbrook Shire Council motion for "*Valuation of Land – to be released at least six months prior to start of financial year*" was submitted at the 2011 LGAQ Annual Conference held on the Gold Coast from 3rd to 6th October, 2011 and was referred to the LGAQ Policy Executive at its meeting on the 8th December, 2011. Advising that the LGAQ has written to the relevant Ministers and will continue to raise the issues referred to in the motion where appropriate and enclosing copy of Minister for Finance, Natural Resources and the Arts, The Hon. Rachel Nolan's response dated 13th February, 2012 for Council's information. (001/0021)
2. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND, Newstead, 2nd August, 2012, advising that the Hinchinbrook Shire Council motion for "*Disaster Management – NORA Guidelines and Day Labour Costs*" was submitted at the 2011 LGAQ Annual Conference held on the Gold Coast from 3rd to 6th October, 2011. Further advising that the LGAQ has written to the relevant Ministers and enclosing copy of Attorney-General and Minister for Local Government and Special Minister of State, The Hon. Paul Lucas' response dated 16th January, 2012 for Council's information. (007/0003)
3. HOWARD GOULD, Ingham, 13th August, 2012, congratulating and thanking Council for the new concrete path constructed between Perkins Street and the pedestrian bridge. (034/0024)
4. MACKNADE BOWLS CLUB, Macknade, 14th August, 2012, thanking Council for its sponsorship of the Ladies Australian Italian Festival Fours for 2012 wherein 12 teams competed with a visiting team being the outright winners and local team being the runners up. (012/0002)
5. INGHAM GARDEN AND ART FEST, 14th August, 2012, thanking Council and staff for supporting the recent Ingham Garden and Art Fest and forwarding a report on the event's success, a photograph and a certificate of appreciation. (079/0021)

Resolved – That the list of correspondence be received and noted.
(Crs. Lynch and Carr – Carried)

REPORT OF CLUBS / ORGANIZATIONS RECEIVING SUPPORT FOR EVENTS / INDIVIDUAL ACHIEVEMENTS POLICIES - FUNDING

1. SEAN MOTTI.
Financial assistance paid towards his attendance at the Australian Junior Squash Championships in Hobart as part of the Queensland Sharks Team from the 28th September to 7th October, 2012.
2. INGHAM DIRT BIKE CLUB INC.
Financial assistance paid towards Club's hosting of Tropical North Queensland Motocross Series in Ingham on the 11th August, 2012.

Resolved – That the list be received and noted.
(Crs. Kaurila and Skinner – Carried)

3. CONCLUSION – This concluded the business of the meeting which closed at 11.40 a.m.
4. APPROVED and adopted this 26th day of September, 2012.

MAYOR